



Commonwealth of Massachusetts State Ethics Commission

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SUFFOLK, ss.

COMMISSION ADJUDICATORY
DOCKET NO. 526

IN THE MATTER OF JULIE A. DIPASQUALE

Appearances: Stephen P. Fauteux, Esq.
Laurie Ellen Weisman, Esq.
Counsel for the Petitioner

Thomas R. Kiley, Esq.
Matthew L. Schemmel, Esq.
Counsel for the Respondent

Commissioners: Brown, Ch., McDonough, Larkin^{1/} and Rapacki

Presiding Officer: Commissioner Edward D. Rapacki, Esq.

DECISION AND ORDER

I. Procedural History

On June 6, 1995, the Commission issued an Order to Show Cause alleging that the Respondent violated §§19 and 23(b)(3) of G. L. c. 268A.^{2/} On December 6, 1996, prior to an adjudicatory hearing in this matter, the Petitioner and Respondent filed a Joint Motion to Dismiss ("Joint Motion"). The Joint Motion requested that the Commission dismiss the adjudicatory proceeding and approve a Public Enforcement Letter in settlement of this matter. In support of settling this matter, the Public Enforcement Letter states, among other reasons, that the public interest would be better served by explaining the application of the law to the facts, with the expectation that the advice will ensure understanding of and future compliance with the conflict of interest law. The Letter also states that after reviewing all the pertinent evidence, it appeared that the Respondent attempted to comply with the conflict of interest law by abstaining from matters specifically directed to her immediate family members, and she believed in good faith that she could participate in particular matters involving determinations of general policy.

II. Decision

Pursuant to 930 CMR §1.01:(6)(d), dismissal may be granted only by a majority vote of the Commission. After considering the Joint Motion and the Public Enforcement Letter, the Joint Motion is **ALLOWED**.

III. Order

Accordingly, all charges in the Order to Show Cause are hereby dismissed. The Executive Director is authorized to execute the Public Enforcement Letter. The adjudicatory proceedings against the Respondent are dismissed.

DATE: December 10, 1996

¹Commissioner Larkin abstained from the deliberations and vote on this matter.

²In the Order to Show Cause, the Petitioner requested that the Commission find:

Charge 1 that the Respondent, while a member of the Somerville School Committee, violated §'19 and 23(b)(3) by participating in the January 27, 1992 School Committee vote to request the Civil Service Commission conduct a compliance audit of the School Department's hiring practice when the Respondent's sister was seeking a promotion and claiming that the promotion should be awarded under the Civil Service law.

Charge 2 that the Respondent violated §'19 and 23(b)(3) by participating in the May 4, 1992 School Committee vote to request that the Civil Service Commission authorize the School Department to fill vacant principal clerk stenographer positions sought by the Respondent's sister with a promotion eligibility list that ranked her sister as the top applicant.

Charge 3 that the Respondent violated §'19 and 23(b)(3) by participating in the May 28, 1992 School Committee vote to request authorization from the Civil Service Commission to use a promotion eligibility list that included four names, including the Respondent's sister, to fill four vacant clerk positions, some of which were sought by her sister.

Charge 4 that the Respondent violated §'19 and 23(b)(3) by participating in the School Committee's Personnel Sub-Committee's vote on March 1, 1994 and the School Committee's March 7, 1994 vote to adopt changes in the School Department's method of ranking applicants for teacher positions when the Respondent's daughter was an applicant for employment as a teacher with the School Department.